



Ministry
of Justice



Judicial
Office

Reform of Local Justice Areas

Consultation response on the future
administrative structures of the
magistracy

Revised Equalities Statement



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This document sets out the Ministry of Justice's (MoJ), HM Courts & Tribunals Service's (HMCTS), and the Judicial Office's (JO), (on behalf of the Senior Judiciary) assessment of the equalities impacts arising from the final proposals following the consultation on *Reform of Local Justice Areas: Future Administrative Structures of the Magistracy*. It fulfils the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 (subsequently referred to as the Act in this document).

This requires departments to pay due regard to the need to:

1. **Eliminate unlawful discrimination** – direct discrimination, indirect discrimination, discrimination arising from disability, and harassment, victimisation and any other conduct prohibited by the Act.
2. **Advance equality of opportunity** between people who share a protected characteristic and people who do not share it.
3. **Foster good relations** between people who share a protected characteristic and those who do not share it.

The protected characteristics which have been considered are:

- age
- disability
- sex
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sexual orientation
- marriage and civil partnership (but only in respect of the first aim of the Equality Duty).

In relation to the first limb of the PSED, the conduct prohibited by the Act includes the following.

- **Direct discrimination** – this means less favourable treatment “because of” a protected characteristic. This includes discrimination by association (being treated less favourably because of a protected characteristic e.g. of a friend, spouse, partner, parent, or another person with whom they are associated) and discrimination by perception (because of a perceived protected characteristic which an individual may not, in fact, possess).
- **Indirect discrimination** – this is concerned with acts, decisions or policies which are not intended to treat anyone less favourably, but which in practice have the effect of disadvantaging a group of people with a particular protected characteristic. Where such a policy disadvantages an individual with that characteristic, it will amount to indirect discrimination unless it can be objectively justified.

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- **Harassment** – this is unwanted conduct related to a relevant protected characteristic which has the purpose or effect of either violating a person’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Victimisation** – this occurs where a person subjects another person to a detriment because either they have done a protected act or it is believed they may do, a protected act.

1. Introduction

1. This assessment supersedes the Equalities Statement that accompanied the 2025 consultation. It reflects the significant amendments made in response to consultation feedback, including withdrawal of proposals merge boundaries, amendments to the reasonable maximum travel time expectation, and structural changes to Family and Youth jurisdictions.
2. This assessment is based on available data, consultation evidence, Judicial Diversity Statistics, operational insights and self-reporting, including the responses received to the consultation. It considers likely impacts on magistrates across all protected characteristics and identifies mitigations embedded within the final model.

2. Background

3. There are currently 75 Local Justice Areas (LJAs). LJAs will be abolished when section 45 of the Judicial Review and Courts Act 2022 is commenced. The consultation sought views on how administrative grouping, leadership and training arrangements should operate once LJAs cease to exist in law.
4. MoJ, HMCTS and JO (including the Judicial College) undertook a 12-week consultation in 2025 on proposals for a replacement administrative structure for grouping magistrates' courts, and magistrates' deployment and training.
5. The original proposals included:
 - Creating 58 larger administrative "benches" (aligned with Criminal Justice Areas);
 - Introducing a 90-minute "reasonable maximum journey time";
 - Codifying the expectation that magistrates could expect to sit 20–40% of sittings outside of their home court;
 - Considering mergers of Family Panel Areas, the geographical areas to which a family magistrate is assigned and within which their family court sittings are allocated;
 - Significant rationalisation of Training, Approvals, Authorisations and Appraisals Committees (TAAACs); and
 - Options for changing the scope of the Bench Chair role.
6. Responses – summarised in the consultation response – raised strong concerns regarding equalities impacts, especially relating to travel expectations, loss of local

identity, effects on Welsh language provision, impacts on magistrates with disabilities, and risks to recruitment and retention.

7. As a result, we have amended our approach. The final model prioritises continuity, local identity, and flexibility.
8. Upon analysis of the responses, we have updated the assessment of the impact on protected characteristics. The original Equalities Statement can be found here: [LJA Consultation Equalities Statement](#)

3. Summary of Final Proposals Relevant to Equalities

9. Following consultation, we will implement a package that maintains local identity, supports accessibility, and ensures magistrates can carry out their duties effectively. We assess that the overall equalities impact of this final model is minimal and manageable, with any potential impacts capable of mitigation through existing judicial and HMCTS processes:

Retaining all 75 existing geographic boundaries

10. Administrative benches will continue to align with the 75 current geographic areas. This maintains familiar support structures and local identity, providing continuity for magistrates across all protected groups.
11. Maintaining existing boundaries supports predictable travel patterns, protects access to known and accessible court buildings, and sustains established peer networks. This provides stability for magistrates with caring responsibilities, disabled magistrates, older magistrates and others who may benefit from locally based arrangements.

Reasonable maximum travel time expectation

12. Magistrates will not generally be asked to travel more than 60 minutes from their home court for sittings. Travel beyond this may still take place where operationally necessary and with the individual magistrate's agreement, reflecting current practice.

13. The updated approach provides a clear, manageable travel expectation and enables reasonable adjustments to be made where required, ensuring arrangements remain accessible for magistrates with disabilities, health conditions, pregnancy related needs, or caring responsibilities.

Deployment expectations

14. Whilst the home court assignment will proceed, there will be no fixed percentage requirement for away from home court sittings, and magistrates won't typically have to travel further to sit in court as they do under present arrangements. In limited circumstances, crosscourt sitting will continue to be used flexibly and by agreement, allowing Bench Chairs to accommodate individual circumstances, reasonable adjustments, and personal constraints.

Family and Youth Panel boundaries

15. Existing Family and Youth Panel boundaries will remain unchanged. This preserves specialist local knowledge, supports consistent relationships with safeguarding partners and CAFCASS, and maintains predictability in sitting patterns.
16. Retaining these boundaries supports continuity for magistrates who work with vulnerable users and avoids unnecessary travel burdens, particularly for magistrates with caring responsibilities or those who rely on established local support arrangements.

Training, Approvals, Authorisations and Appraisals Committees (TAAACs)

17. There will be **no mandatory consolidation** of committees. Regions may explore local adjustments only where beneficial and supported.
18. Maintaining current structures promotes local knowledge of magistrates' training and support needs and avoids creating additional travel or administrative demands for committee members, including those with disabilities or caring responsibilities.

Bench Leadership

19. The single Bench Chair role will be retained. Bench Chairs will continue to be supported by Deputies as required to ensure sufficient leadership capacity, and better use of Deputies will be encouraged.
20. This structure provides clarity around pastoral responsibility and supports responsive, personalised pastoral care, including for those needing flexible deployment, reasonable adjustments or wellbeing support. Opportunities for Deputies help broaden leadership participation and can support diversity within leadership roles.

Welsh Language Impacts

21. Welsh bench boundaries will remain unchanged, and a full Welsh Language Impact Assessment has been undertaken and published.
22. Welsh-speaking magistrates will retain the ability to sit in Welsh language courts, supporting linguistic rights and maintaining the capacity to deliver hearings through the medium of Welsh-speaking magistrates. These measures together ensure that the final package provides stability, supports accessibility, and maintains strong local identity while ensuring that any impacts are minimal and manageable within existing frameworks.

4. Assessment Approach

23. As this consultation focused on the impacts of LJA abolition on the recruitment, deployment, training and leadership of magistrates, the primary consideration in assessing equalities impacts is the effect on magistrates themselves. The revised proposals relate only to the internal administrative arrangements that will apply once LJAs are abolished and do not affect where cases are listed or heard, as listing practice will continue to prioritise proximity and operational need. Court users will therefore not experience any change as a result of these proposals, and they have not been included within the scope of this Equalities Impact Assessment.
24. We have assessed whether any of the proposals are likely to give rise to direct or indirect discrimination, including discrimination arising from disability, as well as any risks of harassment or victimisation. We have also considered whether the proposals could help advance equality of opportunity for people who share a protected

characteristic, and whether they could foster good relations between people who share a protected characteristic and those who do not.

25. This assessment is based on our understanding of how magistrates with protected characteristics are likely to be affected by the proposals, and draws on:
- consultation feedback;
 - available Judicial Diversity Statistics;
 - operational insight from HMCTS and JO;
 - previous Equalities Statements;
 - evidence submitted by stakeholders in response to the consultation.
26. We have used the available data we have on the protected characteristics of the magistracy (see annex). We have used this data to assess how many may be affected if certain revised proposals appear more likely to disadvantage those with protected characteristics.
27. Where data is limited (e.g., on intersectionality or protected characteristics not routinely recorded), assumptions are based on known patterns in the magistracy (e.g., age distribution, caring responsibilities, disability prevalence).

Deployment

28. Under the amended approach, magistrates will continue to sit primarily in their home court, with occasional sittings in other courts where operationally required and agreed with the individual. Travel expectations will remain broadly consistent with current practice: magistrates will not normally be expected to travel more than 60 minutes for sittings, and any longer journeys will be arranged only where necessary and with the magistrate's consent. Any longer journeys will be more extensively scrutinised and need to be clearly justified on business need.

Impact assessment

29. This approach provides predictable and manageable travel arrangements for magistrates across all protected groups. It remains compatible with existing flexible deployment practices and does not introduce new travel burdens. Travel needs will continue to be managed locally, enabling Bench Chairs and HMCTS staff to respond to personal circumstances, such as disability, health conditions, pregnancy, and caring responsibilities, through reasonable adjustments and bespoke deployment patterns.

Mitigation

30. Existing arrangements will continue to support magistrates who require flexibility, including:

- adjustments to sitting locations;
- limiting deployment to particular courthouses;
- tailored sitting hours or patterns where needed.

These practices are already established and are expected to remain available where appropriate.

Leadership

31. Leadership will continue to centre on a single Bench Chair (BC) for each bench, supported by Deputy Bench Chairs, with clearer role descriptions and strengthened delegation to deputies. This approach is designed to keep leadership manageable as benches continue to recruit and as the overall size and activity of the magistracy grow.

32. Anecdotal evidence from operational feedback indicates that BC roles already carry a substantial portfolio (governance, pastoral support, engagement with HMCTS/JO, deployment oversight). We also anticipate that increased magistrate numbers and ongoing activities to improve the system may increase overall leadership demand over time. The amended approach focuses on providing clarity for the role and improving delegation to sustain leadership capacity across different local contexts. It does not prejudge the merits of alternative leadership structures (e.g. splitting) that could be considered in future if needed.

Impact Assessment

33. Keeping a single BC supported by deputies provides continuity and clarity of accountability, while the strengthened use of deputies increases leadership capacity and flexibility. This is expected to encourage participation from magistrates who may need flexibility due to disability, pregnancy, health conditions, caring responsibilities, or employment patterns, without creating new barriers. We do not hold centralised diversity data for leadership applicants or post-holders; however, the combination of clearer role expectations and structured delegation is expected to have a minimal and manageable equality impact and may broaden the potential pool of candidates by making time commitments more predictable.

Mitigations

34. No additional mitigations are required beyond existing arrangements. To ensure accessibility and participation across protected groups, leadership teams will continue to:
- use deputy cover and shared tasking to balance peak demands;
 - apply reasonable adjustments for leadership duties where appropriate (e.g., meeting format, timing, remote participation);
 - keep role descriptions under review to maintain proportionality and transparency of expectations.

Training

35. As the final proposals no longer include a mandatory consolidation of TAAACs and only seek a reduction by agreement with individual areas if desired, there is no impact as a result of the consultation response.

5. Direct discrimination

36. Our assessment is that the revised proposals are not directly discriminatory. They do not treat any individuals less favourably because of a protected characteristic, as the proposals apply equally to all magistrates. We therefore conclude that there is no direct discrimination within the meaning of the Equality Act 2010.

6. Indirect discrimination

37. Our updated assessment is that the revised arrangements to replace Local Justice Areas are not likely to result in indirect discrimination within the meaning of the Equality Act 2010.
38. In assessing potential indirect discrimination, we have considered whether any element of the proposals could disadvantage magistrates with protected characteristics, including where:
- a. a policy could disadvantage magistrates generally, and the group affected may contain a higher proportion of people with a protected characteristic than the magistracy overall; or

- b. a policy could unintentionally place magistrates with particular protected characteristics at a disadvantage because of those characteristics.

6.1 Indirect discrimination where a policy could disadvantage anyone affected by it, and there is a higher proportion of people with a specified protected characteristic in the population affected by the policy than within the wider population

- 39. As set out above, the revised proposals have been deliberately designed to minimise changes to magistrates' roles and sitting expectations. The withdrawal of larger bench areas, the removal of the proposed 90-minute reasonable maximum travel time expectation, and the retention of existing Family and Youth boundaries all mean that most magistrates will continue to sit where they do now and that typical travel patterns will remain broadly unchanged. The only circumstances in which there may be a risk of disadvantage are isolated cases where magistrates agree to sit outside their home court, or where members of TAAACs may need to travel further to attend meetings. In these limited scenarios, there remains a small possibility that some magistrates with protected characteristics may face more challenging journeys; however, these instances are expected to be infrequent and manageable through existing reasonable adjustment processes.
- 40. As the revised model no longer includes fixed deployment percentages, expanded bench boundaries or a reasonable maximum travel time, we cannot predict with certainty which magistrates – if any – may need to travel further on occasion, nor do we hold diversity data for such a subset. For this reason, it is not possible to assess whether any residual disadvantage would disproportionately affect magistrates with protected characteristics when compared with the wider magistracy. However, because travel expectations reflect current practice, and any exceptions require individual agreement, the risk of indirect discrimination arising from differential travel impacts is now significantly lower than under the original proposals.

6.2 Indirect discrimination where a policy could unintentionally disadvantage someone with a protected characteristic because of that characteristic

- 41. We have assessed that magistrates are more likely to have caring responsibilities than the general population, as the magistracy includes proportionately higher numbers of women and older women (see annex). We have therefore considered

whether the revised proposals could disadvantage magistrates with caring responsibilities and whether any aspect of the final model could indirectly disadvantage women, including older women, as a result. We have also considered whether the proposals could unintentionally disadvantage magistrates with any other protected characteristics.

42. We recognise that some magistrates may hold more than one protected characteristic, which in some circumstances could place individuals at a particular disadvantage. However, the revised proposals significantly reduce the likelihood of such impacts, as the most consequential changes – such as merging bench areas – have been withdrawn. We do not currently hold data that would allow us to analyse intersectionality within the magistracy in detail. Therefore, beyond considering potential impacts arising from the overlap between sex and age, we have assessed broader risks where combinations of characteristics might have compounded effects. Under the amended model, any such risks are now expected to be limited and capable of being managed through existing reasonable adjustment and flexible deployment processes.

6.2.a. Indirect discrimination in the bench system (replacement structure for grouping magistrates' courts)

43. The decision not to introduce larger administrative benches means that the creation of new bench structures will have very limited equalities implications. Under the final model, the 75 existing geographic boundaries will be retained and used directly as the administrative framework, magistrates will have an assigned home court, and travel expectations will remain in line with current practice, with magistrates normally not expected to travel more than 60 minutes when sitting elsewhere. These arrangements apply to all magistrates but may have a greater practical impact for some individuals. We assess that any impacts are manageable within existing HMCTS processes. As a result, magistrates will continue to be recruited, deployed, trained and supported within familiar local structures.

6.2.b. Indirect discrimination in magistrates' recruitment

44. Our updated assessment is that the revised proposals relating to recruitment are not likely to result in indirect discrimination within the meaning of the Equality Act 2010. The final model does not introduce any substantive change to the way individuals apply to become magistrates or to how Advisory Committees manage recruitment processes.

6.2.c. Indirect discrimination in magistrates' deployment

45. Although the revised proposals mean that most magistrates will continue to sit within the same group of courts as they do now, there remains a possibility that magistrates may be asked to sit at another nearby court within their existing boundary or sometimes outside of their boundary. In these limited cases, some magistrates with protected characteristics may find longer or more complex journeys more challenging. The sections below consider how the revised deployment arrangements may affect magistrates with particular protected characteristics, noting that the most significant risks identified in the original consultation have now been mitigated or removed.

Age

Impact Assessment

46. Although the revised arrangements retain all 75 geographic boundaries and keep travel patterns broadly aligned with current practice, some older magistrates may still experience challenges where accessibility varies between courts or where occasional, agreement-based- travel outside their home court is more difficult due to age-related- mobility, health, or transport considerations.

Mitigation

47. Any travel outside the home court is by agreement only, enabling magistrates to decline journeys that are unsuitable for their needs. Established reasonable adjustments, including allocation to specific accessible courts, flexible scheduling, and supportive deployment decisions, will continue to ensure older magistrates are not placed at a disadvantage.

Sex (including caring responsibilities)

Impact Assessment

48. Women, and particularly older female magistrates, are statistically more likely to hold caring responsibilities. While most magistrates will experience no change under the final model, those with caring duties may be more affected by any occasional travel outside the home court or by variability in local deployment practices, as predictable arrangements can be important for balancing work, care and voluntary commitments.
49. Local variation in how often magistrates are invited to sit away from their home court may also have a greater impact on women who rely on consistent sitting patterns to manage wider responsibilities.

Mitigation

50. The final model is based on flexible, agreement-based deployment, which allows magistrates with caring responsibilities to limit or decline travel. Bench Chairs and Deputies will continue to consider caring responsibilities when allocating sittings, and reasonable adjustments – including sitting exclusively at a home court where needed – are available and already routinely applied.

Pregnancy and maternity

Impact Assessment

51. Because boundaries are being retained and no structural changes are being made to allow allocation to closer courts across merged areas, there is also less scope to assign pregnant magistrates to alternative nearby courts that may offer better facilities or easier access. This means that any limitations in facilities within the existing local court estate may persist, although these can continue to be managed through reasonable adjustments and flexible deployment.
52. Additionally, as the leadership model remains unchanged – without splitting the Bench Chair role into separate pastoral and business functions – pastoral capacity may remain stretched, which could affect how promptly and consistently pregnancy related needs are identified and supported. Greater use of Deputy Bench Chairs should help, but some variation may continue.

Mitigation

53. Travel outside the home court is not required and must be individually agreed. Where pregnant magistrates need predictable sitting arrangements, they can be allocated solely to their home court or to specific courts with appropriate facilities. Reasonable adjustments – including modified sitting patterns and location-based restrictions – are available, supported by Bench Chairs and Deputies who share pastoral responsibilities.

Disability

Impact Assessment

54. Disabled magistrates may still face challenges where occasional travel to a different court is decided based on agreement, or where the accessibility of individual court buildings varies. Because the revised proposals retain all existing geographic boundaries and do not increase typical travel expectations, most disabled magistrates should continue sitting in courts they already know and can access. However, for a small minority of magistrates who agree to sit outside their home court, the continued variation in accessibility across the estate may still present

difficulties, particularly for wheelchair users or those with mobility related issues or sensory impairments.

55. The removal of a formalised travel ceiling may also create some uncertainty for disabled magistrates who rely on predictable and manageable journeys. Although the revised model reinforces that travel outside a home court should normally not exceed 60 minutes and must be agreed individually, the absence of a codified cap may leave some disabled magistrates feeling less protected, especially where they depend on public transport or have health conditions affected by travel time, fatigue or journey type.
56. Local implementation of deployment remains a key factor. While deployment is now explicitly based on agreement and flexible practice, variation between benches in how such flexibility is exercised may result in inconsistent experiences for disabled magistrates. As adjustments continue to be arranged locally, the potential for uneven practice persists, though this is mitigated by the withdrawal of the more disruptive proposals consulted on.
57. Finally, as the proposal to consolidate TAAACs has been withdrawn, regional differences in training, appraisal and support structures for disabled magistrates may continue. The retention of local committees preserves familiarity and local knowledge, but it also means that the quality and extent of support related to reasonable adjustments may vary across regions.

Mitigation

58. Reasonable adjustments – including allocation to accessible courts only, restriction to home-court sittings, and tailored scheduling – will continue to ensure disabled magistrates are not disadvantaged. Deployment outside the home court requires explicit agreement, allowing disabled magistrates to decline unsuitable journeys. Bench Chairs and operational staff will continue to review accessibility needs on a case-by-case basis, ensuring equitable treatment across benches.

Gender Reassignment

Impact Assessment

59. Magistrates who have undergone gender reassignment, or who require access to gender neutral or appropriate facilities, may be affected where such facilities are not available in all court buildings. As the revised proposals retain all existing geographic boundaries and do not expand the range of courts to which magistrates may be allocated, there is limited opportunity to assign magistrates to alternative courts that may offer more suitable facilities.

60. In the small number of cases where magistrates agree to sit at a different court, some may therefore encounter buildings without gender-neutral toilets or other facilities they rely on. We do not currently hold central data on which courts have such facilities.

Mitigation

61. Most magistrates will continue to sit primarily in their familiar home courts. For the minority who require specific facilities, deployment can be restricted to appropriate courts through reasonable adjustments, and travel elsewhere is only undertaken with the magistrate's agreement.

Religion or Belief

Impact Assessment

62. Magistrates who follow a particular religion or belief may require access to prayer or faith-appropriate facilities when attending court. Under the revised proposals, which retain all existing geographic boundaries and do not expand the areas within which magistrates sit, there remains limited scope to allocate magistrates to alternative courts that may offer more suitable facilities. As a result, a small minority of magistrates who occasionally agree to sit at a different court may encounter buildings that do not provide the prayer space or facilities they require. We do not currently hold centralised data on which courts within the estate have such facilities and therefore cannot assess the extent of this variation.

Mitigation

63. Reasonable adjustments allow magistrates to be allocated to courts that meet their religious needs or to restrict travel to their home court where suitable facilities exist. Travel beyond the home court occurs only with the magistrate's consent.

Race and Sexual Orientation

Impact Assessment

64. There is currently no evidence to suggest that the revised deployment arrangements will disadvantage magistrates on the basis of race or sexual orientation. As the final proposals retain existing geographic boundaries and keep travel expectations broadly unchanged, no material risks have been identified for magistrates with these protected characteristics.
65. However, we recognise that structural variations between regions may persist, particularly in relation to local support, training quality, and pastoral capacity. The decision not to consolidate TAAACs at a national level preserves the benefits of local

knowledge but also means that uneven practice across regions may continue, which could indirectly affect magistrates from minority ethnic backgrounds where strong and consistent support structures are especially important.

Mitigation

66. Retention of local structures preserves existing support networks, and Bench Chairs and Deputies will continue to ensure individual needs are considered. HMCTS will monitor for any emerging evidence of disproportionate impacts.

Magistrates with more than one protected characteristic

Impact Assessment

67. It is important to acknowledge that some magistrates may be at risk of disadvantage because they hold more than one protected characteristic, and that these characteristics may interact in ways that compound potential impacts. For example, a magistrate who is both pregnant and disabled may find occasional travel outside their home court more challenging than a magistrate with only one of those characteristics.

Mitigation

68. The final model keeps deployment flexible and agreement based, enabling magistrates with intersecting characteristics to limit travel or sit exclusively at their home court. Reasonable adjustments remain. Reasonable adjustments remain available to tailor arrangements to individual circumstances.

Mitigations Conclusion

69. The revised proposals have been designed to ensure that most magistrates continue to sit in the same courts as they do now and are not required to travel significantly further than under current arrangements. Retaining all 75 existing boundaries, amending the reasonable travel expectation, and keeping deployment flexible and based on individual agreement all mean that the majority of magistrates will experience no change to their usual travel patterns or sitting expectations.
70. Accordingly, the overall risk of indirect discrimination is now low. However, for magistrates who may sit at a different nearby court, there remains a possibility that those with certain protected characteristics could be placed at a disadvantage—for example, due to travel constraints, accessibility needs, pregnancy or breastfeeding requirements, or caring responsibilities. To mitigate this, HMCTS will continue to ensure that reasonable adjustments and flexible sitting arrangements are available so that individual circumstances are properly taken into account.

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71. These adjustments may include allocating magistrates only to courts that are accessible or appropriate for their needs – for example, where a particular building offers step-free access, suitable rest areas for pregnant or breastfeeding magistrates, or facilities needed for those practising a particular religion or belief. The same approach applies for magistrates who require gender-neutral toilets or other facilities related to gender reassignment. Where necessary, magistrates may sit exclusively at their home court, or at a limited set of nearby courts that remain practical and manageable for them.
72. Adjustments can also include arrangements where a magistrate is restricted to their home court due to disability, pregnancy, caring responsibilities, or other protected characteristics that make wider travel unsuitable. Such decisions will continue to be made on a case-by-case- basis, informed by the magistrate’s circumstances and supported by HMCTS operational staff.
73. Deployment decisions will also take account of journey duration and journey type. Magistrates who rely on public transport may only be allocated to courts reachable via accessible and reliable routes, including those offering step free- access or seating availability. Where magistrates would be disproportionately affected by longer or more complex journeys – particularly those with overlapping protected characteristics – HMCTS will ensure that reasonable adjustments or flexible working arrangements are applied to prevent disadvantage.
74. Leadership also plays an important role in identifying and supporting individual needs. Updated guidance and increased use of Deputy Bench Chairs will help strengthen pastoral supervision, ensuring that needs are recognised early and that adjustments are implemented consistently. Bench Chairs will be expected to take an active role in ensuring equitable deployment across their benches.
75. Recent changes to the magistrates’ recruitment process mean applicants can indicate whether they require reasonable adjustments at an earlier stage. This supports disabled magistrates, pregnant magistrates, and others with protected characteristics to obtain the adjustments they need as early as possible, helping them to carry out their duties in a way that is safe, sustainable and aligned with their individual circumstances.

Overall assessment

76. Our updated assessment is that the revised deployment arrangements are not likely to result in indirect discrimination within the meaning of the Equality Act 2010. The introduction of a clearly defined home court applies uniformly to all magistrates, and the accompanying 60 -minute travel expectation reflects current practice. Because

the 75 existing geographic boundaries are retained and Family and Youth sitting arrangements remain unchanged, most magistrates will experience little to no change in where they sit or how often they travel.

77. While travel expectations apply to everyone, we recognise that some magistrates—such as those with disabilities, health conditions, caring responsibilities, pregnancy-related needs, or limited access to transport—may experience travel differently. Any potential adverse impacts are mitigated through existing HMCTS practices, including flexible deployment, adjustments to sitting locations, reasonable adjustments, and agreement based -exceptions to travel. As a result, we assess that the final model has minimal and manageable equality impacts.

6.2.d. Indirect discrimination in bench leadership

78. Under the revised proposals, we have decided not to split the Bench Chair role and instead to retain the existing leadership structure while encouraging greater use of Deputy Bench Chairs. This means that the leadership framework will remain familiar to magistrates and will not introduce new burdens, travel requirements, or role expectations. On this basis, we do not consider the revised leadership arrangements to be indirectly discriminatory within the meaning of the Equality Act 2010.
79. The decision to not split the role and instead introduce improved guidance and greater use of deputies will remove potential complexity or confusion about pastoral oversight and reduce pressure on the Bench Chair. However, maintaining a single Bench Chair role may continue to place pressure on pastoral capacity, which is relied upon more heavily by magistrates with certain protected characteristics – particularly those with caring responsibilities, disabled magistrates, and magistrates who are pregnant or returning from maternity leave. To mitigate this, leadership guidance will emphasise proactive identification of support needs, and Bench Chairs will be encouraged to delegate responsibilities appropriately to Deputies to ensure timely pastoral support.
80. Not introducing the original proposals also removes the risk that a more formalised leadership restructure could have deterred applicants from protected groups. While the revised model limits opportunities to redesign roles in ways that might have supported greater diversity, on balance, the decision not to proceed with the original changes significantly reduces the risk of indirect discrimination, and any residual impacts can be addressed through strengthened pastoral guidance and flexible working arrangements.

6.2.e. Indirect discrimination in training and TAAACs

81. We have also decided not to implement the proposed consolidation of TAAACs. As a result, the governance of TAAACs will remain largely unchanged, and there is no expectation that magistrates will be required to sit across wider geographic areas or travel further for training purposes. On this basis, the revised proposals are not likely to result in indirect discrimination under the Equality Act 2010. Should individual regions wish to progress with potential consolidation of TAAACs, any potential impacts would be assessed in these circumstances.
82. Retaining 45 TAAACs avoids the potential disadvantage that would have arisen from larger regional committees – particularly for disabled magistrates, magistrates who are pregnant or breastfeeding, and magistrates with caring responsibilities, all of whom may find longer or less predictable travel more difficult.

7. Harassment and Victimisation

83. There is no evidence to suggest the final proposals create any risk of harassment or victimisation connected to protected characteristics. No changes affect existing policies safeguarding magistrates from harassment.

8. Advancing Equality of Opportunity

84. We have considered how the revised proposals may affect the duty to advance equality of opportunity by ensuring that the needs of magistrates who share a protected characteristic are met where those needs differ from those of magistrates who do not share that characteristic. The final model – with all 75 boundaries retained, travel expectations reduced, and deployment kept flexible and by agreement – provides a stable and familiar framework that supports equality of opportunity across the magistracy.
85. Because the revised proposals do not introduce larger bench areas, longer journeys or more complex sitting patterns, most magistrates will experience no change to their travel, court allocation or day-to-day duties. This stability supports magistrates who rely on predictable arrangements, including disabled magistrates, older magistrates, pregnant magistrates and those with caring responsibilities. For the very small number who may occasionally agree to sit at another nearby court, HMCTS can make reasonable adjustments to ensure their needs are met – such as restricting

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sittings to the home court, assigning them only to accessible buildings, or adapting sitting times and patterns.

86. Retaining current TAAAC structures also promotes equality of opportunity by preserving established local support systems, which consultation respondents – including those from under-represented groups – highlighted as important for confidence, retention and development. Although regional variation in support may persist, the decision not to consolidate TAAACs avoids the risk of increased travel for committee members and ensures that magistrates who need tailored mentoring, feedback or adjustments can continue to access localised expertise. Virtual or hybrid participation will remain available to ensure full inclusion of magistrates with disabilities, caring responsibilities, pregnancy-related needs or work commitments.
87. We do not consider that the revised proposals relating to recruitment or leadership will adversely affect how the needs of magistrates with protected characteristics are met.
88. The revised arrangements therefore enhance equality of opportunity by:
 - reducing perceived burdens on disabled magistrates and those with caring responsibilities;
 - maintaining accessibility and local identity, which respondents cited as important for younger, disabled and underrepresented magistrates;
 - retaining established local support structures within leadership and TAAACs; and
 - protecting the ability of Welsh speaking magistrates to sit in their preferred language and in courts with strong Welsh language provision.
89. We will continue to monitor equalities impacts during implementation, including through reasonable adjustment requests, leadership feedback, and ongoing engagement with magistrates, the Magistrates' Association (MA), Magistrates' Leadership Executive (MLE), and Welsh language bodies.

9. Eliminating unlawful discrimination in relation to disability and duty to make reasonable adjustments

Opportunities to promote magistrate diversity

Leadership Proposals

90. The decision not to split the Bench Chair role, combined with strengthened expectations around the use of Deputy Bench Chairs, may have both positive and negative impacts for magistrates with protected characteristics. On the positive side, keeping the role within existing boundaries avoids creating a more demanding national leadership model, which could have disproportionately deterred magistrates who are disabled, pregnant, have caring responsibilities, or who balance sitting with employment. A more locally anchored leadership model may therefore remain more accessible to these groups.
91. However, the decision not to introduce a formal split between pastoral and business functions means that pastoral capacity may remain stretched, which could particularly affect magistrates who rely more heavily on pastoral support—such as women with caring responsibilities, disabled magistrates, pregnant magistrates, and those experiencing discrimination. The increased use of Deputy Bench Chairs may mitigate this to some extent and could help broaden the diversity of those seeking leadership roles, as it allows workload to be shared and encourages participation from magistrates who may have been deterred by the time commitment associated with a sole leadership role.
92. Overall, while the revised leadership model does not implement structural changes that could have further reduced barriers to leadership, the combination of clearer guidance, shared responsibilities, and retained local identity is still likely to support a wider and more diverse range of applicants. Continued monitoring and engagement with magistrates will be essential to understand whether additional action is needed to strengthen equal access to leadership roles.

Other Proposals (Recruitment, Deployment, and Training)

93. By maintaining existing travel expectations and ensuring magistrates continue to sit predominantly in familiar and accessible locations, the revised deployment model is likely to support participation from magistrates with protected characteristics – particularly those for whom long or unpredictable journeys create barriers, such as

disabled magistrates, pregnant magistrates, and those with caring responsibilities. This stability may help attract and retain magistrates from a diverse range of backgrounds.

94. The decision not to consolidate TAAACs preserves valuable local knowledge about magistrates' training, mentoring and competency needs, which can disproportionately benefit magistrates requiring tailored support. However, this also means that regional variation in training and support structures may persist, which could indirectly affect magistrates from minority ethnic backgrounds or those with disabilities. Virtual participation options will continue to minimise any disadvantage for those who find travel difficult.
95. Recruitment arrangements remain largely unchanged, meaning the revised proposals are unlikely to have a significant impact – positive or negative – on magistrate diversity at the point of entry. However, the preservation of local identity may, over time, help make the role more attractive to applicants with protected characteristics who may have been discouraged by the more extensive reforms originally proposed.

10. Fostering Good Relations

96. No impacts have been identified that would impair relationships between magistrates or between magistrates and court users. The preservation of existing boundaries supports continuity of bench culture and local networks.

11. Welsh Language Assessment (Summary)

97. No Welsh bench mergers will take place.
98. A full Welsh Language Impact Assessment has been completed, and can be found here: <https://www.gov.uk/government/consultations/reform-of-local-justice-areas>
99. Magistrates retain the right to sit in Welsh language courts.
100. Travel expectations remain manageable, preventing displacement of Welsh-speaking magistrates from Welsh-speaking areas.

101. Proposals do not treat Welsh less favourably than English and preserve opportunities to work and serve through the Welsh language.

12. Conclusion

102. The final policy decisions taken after consultation significantly reduce the equalities and Welsh language risks originally identified. Retention of all 75 boundaries, reduced travel expectations, continuity of Family and Youth arrangements, and stronger support for leadership roles ensure that:

- Most magistrates will experience no material change to their sitting patterns;
- The risk of indirect discrimination for protected groups is low;
- Appropriate mitigations remain available where needed;
- Diversity, accessibility and inclusion in the magistracy are better supported than under the original proposals.

103. We will continue to monitor equalities impacts during implementation, including through reasonable adjustment requests, leadership feedback and ongoing engagement with magistrates, the MA, MLE and Welsh Language bodies.

Annex: Diversity Data

1. The 2025 Judicial Diversity statistics showed the following diversity patterns as of 1 April 2025:¹
 - a. 57% of magistrates were women, marking a 5 percentage-point increase compared to 2014. This is 6 percentage points higher than the general population of women and girls.²
 - b. 14% were from an ethnic minority background, an increase of 5 percentage points since 2014, when 9% of magistrates declared themselves to be from an ethnic minority. This is 5 percentage points lower than the general population.³ As of 1

¹ Diversity of the Judiciary 2024 statistics, Ministry of Justice.

<https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2024-statistics/diversity-of-the-judiciary-legal-professions-new-appointments-and-current-post-holders-2024-statistics>

² According to the 2021 Census, women and girls made up 30.4 million (51.0%) of the population of England and Wales. [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/ethnicityandnationality/bulletins/populationandhouseholdestimatesenglandandwales/2021)

³ The census uses different categories from the judicial diversity statistics. Unless otherwise stated, we have used the category of 'non-white' as the equivalent of 'ethnic minority' in the judicial diversity data. According to the 2021 Census, an estimated 18.3% of the population of England and Wales self-declared as 'non-white', including those who identified as: Asian, Asian British or Asian Welsh; black, black British,

April 2025, 7% of magistrates self-declared as Asian or Asian British (2.3 percentage points lower than those of the general population who self-declared as Asian, Asian British, or Asian Welsh),⁴ and 4% as black or black British (the same as the percentage of the general population who self-declared as black, black British, black Welsh, Caribbean or African).⁵

- c. 81% of magistrates in post as of 1 April 2025 were aged 50 or over, while 55% were aged 60 and over (29 percentage points higher than the general population of England and Wales).⁶
 - d. 14% of the female magistracy have an ethnic minority background; this is 4 percentage points lower than the general female population.⁷ As of 1 April 2025, 12% of the magistracy aged 50 and older were ethnic minority magistrates (2 percentage points higher than the general population); and 10% of the magistracy aged 60 and older were ethnic minority magistrates (2 percentage points higher than that of the general population).
2. Of the 1,705 ethnic minority magistrates, 72% are aged 50 years and over, and 42% are aged 60 and over. There is currently no comprehensive data to indicate how many magistrates possess the other protected characteristics. The protected characteristics most consistently recorded in the Judicial Office e-HR database (which contains all current judicial office holders), are sex, race, and age. Magistrates may also self-declare a disability on e-HR. The 2025 judicial diversity statistics have for the first time published statistics on this protected characteristic. However, declaration rates do not yet meet the threshold for publication of robust proportions for comparison, in line with the Official Statistics Policy and the professional standards set out in the Code of Practice for Statistics.^{8,9}
3. As a higher proportion of magistrates are women than in the general population, and there is a greater prevalence of caring responsibilities amongst women in the general population, we therefore assume that magistrates are more likely to have caring

black Welsh, Caribbean or African; mixed or multiple ethnic groups; or "other" ethnic group. [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

⁴ According to the 2021 Census, an estimated 9.3% of the population of England and Wales self-declared as Asian, Asian British or Asian Welsh. [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

⁵ According to the 2021 Census, an estimated 4% of the population of England and Wales self-declared as black, black British, black Welsh, Caribbean or African. [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

⁶ According to the 2021 Census, an estimated 24.4% of the population of England and Wales were aged 60 or over. [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

⁷ <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/datasets/ethnicgroupbyageandsexinenglandandwales>

⁸ [Official Statistics Policy – Office for Statistics Regulation \(statisticsauthority.gov.uk\)](#)

⁹ [Code of Practice for Statistics \(statisticsauthority.gov.uk\)](#)

responsibilities than the general population.¹⁰ As of April 2025, 46% of magistrates in post are female and aged 50 or over, and 30% are female and aged 60 or over.¹¹ Women are significantly more likely to provide unpaid care than men in every age group up to 75 to 79 years, with older age groups in particular providing the highest hours of unpaid care per week.¹² Therefore, older female magistrates are particularly likely to have caring responsibilities, in comparison with the general population.

4. There is currently no centralised data on the protected characteristics of those magistrates in the leadership roles considered in our proposals in chapter five, or those magistrates who sit as TAAAC members, who may be affected by the TAAAC proposals in chapter six. Therefore, we do not know whether those in these positions, and those who apply to them, are more likely to hold protected characteristics than the general population.
5. Work is currently underway to collect and publish more detailed demographic data on the magistracy, including on the diversity of applications and appointments. This is being collected to ensure we are targeting under-represented groups in our efforts to recruit more magistrates. However, there is not yet sufficient data to draw reliable conclusions from this regarding the proportion of applicants and recently appointed magistrates who hold protected characteristics, and the progression of those with protected characteristics through the recruitment process.

¹⁰ Family Resources Survey: financial year 2020 to 2021 – GOV.UK (www.gov.uk)

¹¹ https://assets.publishing.service.gov.uk/media/64fae71b1886eb000d976fe6/2023_JDS_tables.ods, table 3.7

¹² [Unpaid care by age, sex and deprivation, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandcare/unpaidcare)
In England, the highest percentage of unpaid carers was in individuals aged between 55 and 59 years for females (19.9%) and between 60 and 64 years for males (13.05). In Wales, the highest percentage of unpaid carers was in individuals aged between 55 and 59 years for females (21.9%) and between 55 and 64 years for males (15.0%).



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